

11th and witnesses to the incident both outside his home and in the hospital.

### Decision

On 3 October 2003, the Coroner gave the jury 4 possible verdicts to choose from, all of which were described in detail. The possible verdicts were: -

- Accident (on the balance of probability)
- Open verdict (on the balance of probability)
- Non-dependent abuse of drugs (on the balance of probability)
- Unlawful killing (beyond reasonable doubt)



The legal teams acting on behalf of the Commissioner and the officers objected profusely to the inclusion of 'unlawful killing' as a possible verdict, so they produced a flowchart with clear criteria, which had to be met.

### Verdict

It took 11 jurors two hours to pronounce their unanimous satisfaction, **beyond reasonable doubt**, that Roger's death amounted to an UNLAWFUL KILLING.

The full transcript of the decision reads as follows:

'At about 22:25 on 11/01/99 in room 136 at St. Anne's Hospital Tottenham. The deceased collapsed whilst awaiting medical assessment. The deceased was lawfully detained except as set out below when more force was applied that was reasonably necessary causing significant contribution to the adverse consequences of restraint.

1. Held in restraint position too long
2. Lack of medical attention
3. No attempt was made to alter his position of restraint.

'Roger Sylvester was killed unlawfully'

### Secret Meeting

The Metropolitan Police Authority secretly decided to pay the legal fees of the officers using our taxes. Roger's family got wind of this. The officer's decision to try to overturn the unlawful killing verdict is a personal choice. Therefore, they should pay from their own pockets. After strong protest by the family, the MPA agreed to pay the officers fees on condition that they can legally pay the family's fees.

### Family Vindicated Yet Still No Justice

On 23 December 2003, Roger's Family heard through their solicitor that the 8 officers and the Commissioner were challenging the unlawful killing verdict reached by the 11 jurors.

### Judge Replace Independent Jury

From 3rd to 5th November 2004 Roger's Family will be attending the High Court to defend the unlawful killing verdict. A High Court Judge will now be judge, jury and executioner.

### Justice Is Being Challenged

The 8 officers and the Commissioner will argue that it was wrong for the Coroner to allow the jury the choice of 'unlawful killing'. They will argue that the verdict should be quashed and replaced by accidental death or an open verdict. What they do not want is another inquest for a jury to decide.

*'Police want to change unlawful killing to accident or open verdict'*



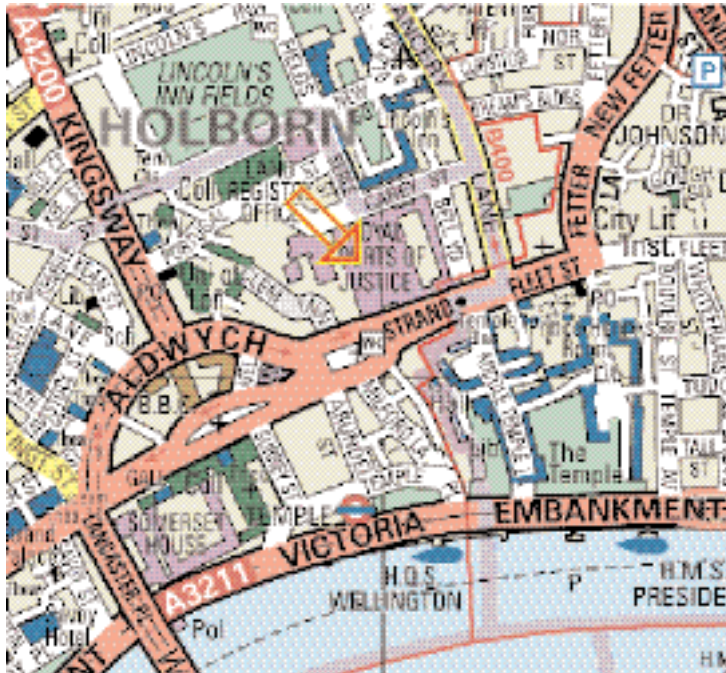
### What Is Justice?

One of the many meanings of the word Justice is "conformity to truth, fact, or reason: correctness". The state's definition of justice is "The exercise of Authority in the maintenance of right".

They want to exercise authority; the family wants conformity, truth, fact, or reason. They want to maintain right, the family want correctness.

Roger's family believe that the authorities have taken Roger's right to life away from him.

**Please come and support the family on the 3rd to 5th November 2004 at the Royal Court of Justice, The Strand WC1.**



Nearest Tube: Temple, Holborn, Chancery Lane, Blackfriars  
Busses: 11, 15, 23, 26, 76, 172, 341

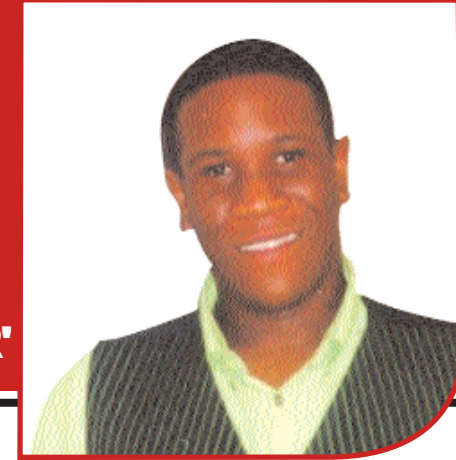


### Roger Sylvester Justice Camp:

PO Box 25908: London N18 1WU  
Telephone: 0793 197 0442  
Email: [RSJC@btinternet.com](mailto:RSJC@btinternet.com)  
[www.rsjc.org.uk](http://www.rsjc.org.uk)

# 'ROGER SYLVESTER WAS Killed Unlawfully'

## 'JUDGE REPLACES INDEPENDENT JURY ON THE 3 - 5 NOVEMBER'



### Background

On 11th January 1999 eight policemen from Tottenham Police Station restrained Roger Sylvester. Roger sustained numerous injuries and was placed on a life support machine. Seven days later, on 18th January 1999 he was pronounced dead.

### Roger Sylvester On Trial Again

Following a lengthy investigation into Roger's death and numerous delays it was finally established by an inquest jury in October 2003 that Roger was UNLAWFULLY KILLED. Now, a year on, the 8 officers and the Metropolitan Police Commissioner will seek to challenge the unanimous verdict at a hearing before the Royal Court of Justice from 3rd to 5th November 2004. They want to change it to 'accidental death' or an 'open verdict'. There will be no jury this time, just one judge. This situation is very unusual.

*'Just-ice system lays another weight on the Sylvester scales'*

### The Authorities

Following a 10-month investigation carried out by Essex Police and 'supervised' by the Police Complaints Authority, the Crown Prosecution service decided on 20 November 2000 that there was insufficient evidence for a realistic prospect of prosecution. Roger's Family believed the CPS just did not want to prosecute the officers.

In May 2001, Roger's family challenged this decision in the Royal Court of Justice and was told by Lord Chief Justice Woolf to await the inquest.

### Inquest

On 8 September 2003, 28 months after the Royal Court of Justice ruling, the Sylvester Family finally got the chance to hear what the police officers had to say. During the month-long inquest, the jury heard evidence from doctors, nurses, heart specialists, brain specialists, toxicologist, psychologists, psychiatrists, pathologists, positional restraint professionals, witnesses who Roger saw and spoke to on the day and evening of